

Remarks

Claims 1, 2, 6, 33, 35, and 36 have been amended to further clarify the present invention. Support for the amendments made to the claims can be found, throughout the specification. More specifically support can be found at least, on page 11, lines 1 – 15. Claim 37 has been canceled. No new matter has been added.

Response

Claims 1 - 14, 16 – 18 and 20 – 37 have been rejected under 35 USC §102(b) as being anticipated by US Patent No. 6,009,149 (Langsenkamp). Claims 15 and 19 have been rejected under 35 U.S.C. §103(a). Applicants again respectfully disagree. The present invention comprises a method that simultaneously provides a plurality of users computerized telephone control, wherein one or more of the users may access a direct interface. For those users that have accessed the interface, a program flow is created by the user supplying values in response to the interactive interface. The created program flows are then used during a series of telephone calls by an automated calling means. As such, the present invention provides a method that simultaneously allows multiple users to generate program flows which include a series of calls to designated callees. Based in part on the program flow, calls are conducted by a computerized system for each user.

As stated in Applicants' November 3, 2003 Response, Langsenkamp discloses an automated calling system which provides a single user a means of transmitting a recorded voice message to callees through a plurality of phone lines. As described throughout the Langsenkamp patent, specifically, for example Column 3, Lines 11 –21, Langsenkamp discloses a system designed only for a single user. (See also Fig. 1). The Langsenkamp system is not designed for, nor can it be used for, simultaneous access by multiple users, as claimed in Applicants' invention. Although Langsenkamp allows multiple users to utilize the interface at different times, Langsenkamp does not disclose the ability to access the interface simultaneously with another user to create a program for automatic calling, as claimed by Applicants. Therefore, Langsenkamp does not anticipate the present invention.

The Examiner is incorrect in stating that Applicants' specification does not support "simultaneous, plural users." Detailed Action, page 3, fn. 1. Support can be found for the claim language on, at least, page 11, lines 1 – 7, which reads in part,

Moreover, in the specifically preferred embodiments the users access the server through a web browser interface, and so the description of those embodiments uses Web terminology.

Page 11, lines 1-2. As those skilled in the art know, it is implicit in the use of a web browser for an interface that simultaneous access is provided to users by the underlying system and method. Nowhere in the Applicants' specification is there any limitation on when a user may access their customized interface. Throughout the specification is the implicit ability of any user of Applicants' system and method to have simultaneous access to a plurality computerized callers.

With respect to the rejection of claim 19, for the reasons stated above and since claims 2-5, 7-32, and 34 each depend from a patentable independent claim, neither Langsenkamp, nor Tannenbaum, alone or in combination with each other, suggest or teach the system as presently claimed. Tannenbaum, similar to Langsenkamp, does not teach the ability to access the interface simultaneously with another user to create a program for automatic calling. Therefore, claims 2-5, 7-32, and 34 are patentable over the cited prior art.

With respect to the rejection of claim 15, Applicants respectfully disagree with the "Official Notice" taken by the Examiner. As clearly demonstrated above, Langsenkamp does not disclose the ability to access the interface simultaneously with another user to create a program for automatic calling, as claimed by Applicants. The Official Notice does not disclose this element either, and therefore does not render the invention claimed in claim 15 as obvious.

Moreover, the Examiner may not use Applicants' invention to find a motivation/suggestion to combine what the Examiner believes is known in the art with a prior art reference that does not suggest or teach this element. In this case, the Examiner has stated that

. . . both the concept and advantages of an [sic] interactive, call script, such as those used in interactive voice response(IVR) systems, . . . would have been well-known and expected in the art.

Detailed Action, page 8. Langsenkamp, though, does not suggest or teach alternative actions, including a response by a human, or a response by an automated response unit. In fact the purpose of the Langsenkamp system teaches away from such an alternative. As stated in Applicants' previous response, the purpose of Langsenkamp is to provide a means for "notifying the public for relevant information about the residences of convicted sex offenders." Langsenkamp, col. 3, lines 12-13. Accordingly, combining Langsenkamp, and the Official

Notice taken by the Examiner, would impermissibly alter Langsenkamp. Therefore, Applicants respectfully request that the Examiner withdraw the "Official Notice".

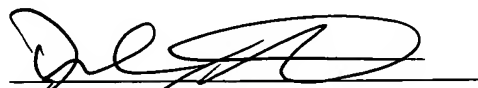
The Examiner has failed to provide every element of the present invention in Langsenkamp, Tannebaum or the Official Notice. Accordingly, neither Langsenkamp, Tannenbaum, nor the Official Notice, alone or in combination with one another, disclose the system as disclosed in claims in 15 and 19. Therefore, the present invention is not obvious over Langsenkamp in view of the Official Notice or Tannenbaum. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. § 103(a).

Similarly, even if combined with other prior art, including the prior art made of record and not relied upon, Langsenkamp could not provide a basis for an obviousness rejection of the present invention. The elements missing in Langsenkamp that distinguish them from the present invention cannot be added by additional art to combine to teach Applicants method and system.

It is respectfully submitted that all pending claims are in condition for allowance. Therefore, Applicants respectfully request that the Examiner withdraw the 35 U.S.C. §§ 102 and 103 rejections, and allowance be granted at the earliest date possible. Should the Examiner have any questions or comments regarding Applicants' amendments or response, the Examiner is asked to contact Applicants' undersigned representative at (215) 575-7194.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0979.

Respectfully submitted,



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